

REMARKS

Claims 1-20, 22-30, and 33-36 are now pending. Applicant has amended claim 1 to recite that the main body provides storage for collected debris, to replace the term “component” with “operational component,” and to replace the term “support assembly” with “roller assembly.” Claims 2-10, 12, 16, 25-27, and 33-35 are also amended to replace the term “support assembly” with “roller assembly.” Applicant has also added new claim 36, which recites a yoke and a cleaner head attached to the main body. No new matter has been added.

Applicant thanks the Examiner for the courtesy of holding an interview with Applicant’s representative on October 6, 2008. The amendment to claim 1 and the corresponding arguments below are intended to address concerns raised by the Examiner during the interview and to place the claims in condition for allowance.

Claims 1-11, 13-18, 20, 22-30, and 33-34 stand rejected under 35 USC 102(b) on Embree. Applicant respectfully traverses this rejection with respect to the claims as amended.

Claim 1, as amended, recites a roller assembly that rotates to allow an appliance to be rolled along a surface by means of a user-operable handle and also houses “at least one *operational* component of the appliance.” Embree fails to disclose or suggest a similar roller assembly.

The Examiner has compared Embree’s wheels 90b with the claimed assembly. Embree’s wheels 90b, however, do not house “at least one *operational* component” as required by amended claim 1. As discussed in the October 6, 2008 interview, the Examiner’s reliance on Embree is based on a very broad interpretation of the term “component.” In particular, the Examiner argued that a “component” may be *any* part of a cleaning appliance, including the axles and fasteners within Embree’s wheels 90b. An *operational* component of an appliance, by contrast, must *operate* in some manner to achieve the functions of the appliance. Thus, passive elements such as Embree’s axles and fasteners that merely hold together parts of Embree’s

appliance do not constitute *operational* components as required by amended claim 1, even in a very broad sense.

Because Embree's wheels 90b do not constitute a roller assembly housing at least one operational component of an appliance, Embree fails to anticipate amended claim 1. Accordingly, the rejection of claim 1 over Embree should be withdrawn.

Claims 2-11, 13-18, 20, 22-30, and 33-34 depend from claim 1 and are therefore allowable over Embree at least based on their respective dependences.

Claims 1-18, 20, 22-30, and 33-35 stand rejected under 35 USC 102(b) on Wright, U.S. Patent No. 6,745,432. Applicant respectfully traverses this rejection with respect to the claims as amended.

Like Embree, Wright also fails to disclose a roller assembly that both rotates to allow an appliance to be rolled along a surface by means of a user-operable handle and houses "at least one *operational* component of the appliance."

The Examiner compared Wright's wheels 38 with the previously claimed "rolling portion" of a support assembly, and then argued that Wright's "whole body becomes a rolling surface" due to the rolling of wheels 38. Amended claim 1, however, requires that the roller assembly both rotate to allow an appliance to be rolled *and* house an operational component. Wright's "whole body" does not rotate as claimed, and Wright's wheels 38 – like Embree's wheels 90b – do not house an operational component. Thus, neither Wright's body nor wheel's 38 constitutes the roller assembly as recited in amended claim 1. Accordingly, the rejection of claim 1 over Wright should be withdrawn.

Claims 2-18, 20, 22-30, and 33-35 depend from claim 1 and are therefore allowable over Wright at least based on their respective dependences.

Claim 19 stands rejected under 35 USC 103(a) on Embree in view of Park, U.S. Patent No. 5,839,156 and on Wright in view of Park. Because claim 19 depends from claim 1, and because Park fails to cure the above-detailed defects in Embree and Wright, claim 19 is

patentable over Embree and Park and Wright and Park based on its dependence from an allowable base claim.

Finally, in the October 6, 2008 interview, the Examiner pointed to Wales, U.S. Patent No. 2,686,330, as disclosing a rolling portion that houses an *operational* component of a cleaning appliance, but conceded that Wales's appliance does not include a main body providing storage for collected debris. Claim 1, as amended, recites a main body providing storage for collected debris and is therefore distinct from Wales.

Moreover, the above distinction is a non-obvious distinction over Wales for several reasons, including at least the following. First, Wales teaches that its motor, fan, dust bag, and controllers are all placed inside a hollow sphere within an external case in order to provide coordination, compactness, and ease of maneuverability. Wales thus teaches away from placing any of these components outside of the external case by implying that doing so would adversely affect these parameters. Second, in order to collect debris outside of the external case, Wales's appliance would have to undergo several complex changes to allow the debris to exit the sphere and the external case without upsetting the case's balance or its ability to roll. Neither Wales nor any other cited reference provides the teachings or motivation that would be required for a person skilled in the art to make such complex changes. For at least these reasons, it would not have been obvious to modify Wales to create an appliance as claimed.

No other issues remaining, each of the presently pending claims is now in condition for allowance. Applicant respectfully requests prompt action withdrawing the current rejections and allowing the claims.

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